



1-28-02

2877

PATENT

Attorney Docket No. 98-027
Express Mail No. EL894817676US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Verne C. Hornbeck and)
Darryl D.J. Allman)
Serial No. 09/217,183)
Filed: December 21, 1998)
For: ON-CHIP GRADED INDEX OF)
REFRACTION OPTICAL WAVEGUIDE)
AND DAMASCENE METHOD OF)
FABRICATING THE SAME)

Group Art Unit: 2877

Examiner: L. G. Lauchman

CERTIFICATE OF MAILING BY EXPRESS MAIL

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the attached Amendment Transmittal Letter; Amendment and Response to Second Office Action; Certificate of Mailing by Express Mail; and Return Card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EL894817676US, with the United States Postal Service, addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 23rd day of January, 2002.

1/23/02

Date

1/23/02

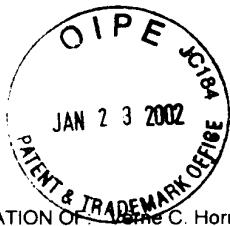
Date

John R. Ley (DTC)

Mailer

John R. Ley
Registration No. 27,453
ATTORNEY FOR APPLICANT

JOHN R. LEY, LLC
5299 DTC Boulevard, Suite 610
Greenwood Village, Colorado 80111-3327
Telephone: (303) 740-9000
Facsimile: (303) 740-9042



AMENDMENT TRANSMITTAL LETTER

Patent
Attorney Docket No. 98-027
Express Mail No. EL894817676US

RECEIVED

JAN - 1 2002

TO CUST. MAIL ROOM

IN RE THE APPLICATION OF: ~~John C. Hornbeck and Darryl D.J. Allman~~

SERIAL NO: 09/217,183

DATE FILED: December 21, 1998

FOR :On-Chip Graded Index of Refraction Optical Waveguide and Damascene Method of Fabricating the Same

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

TRANSMITTED HEREWITH IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

Amendment and Response to Second Office Action

FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING AFTER AMENDMENT	(COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY	
				RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL:	15	-	29	** 0	X \$9 =	\$0.00	OR	X \$18 = \$0.00
INDEP:	2*	-	3	*** 0	X \$40 =	\$0.00	OR	X \$80 = \$0.00
<u>FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS</u>				+ \$130 =		OR	+ \$260 =	
ADDITIONAL FEES				TOTAL:	\$0.00	OR	TOTAL:	\$0.00

*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

**IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

***IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

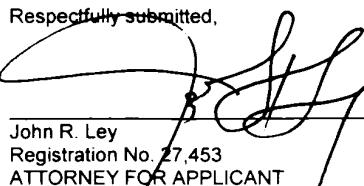
PLEASE CHARGE DEPOSIT ACCOUNT NO. 12-2252 IN THE AMOUNT OF \$____ FOR THE ADDITIONAL FEES. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 12-2252. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

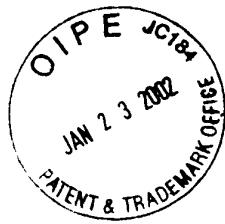
ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.
 ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

Dated at Greenwood Village, Colorado, this 23rd day of January, 2002.

Respectfully submitted,


John R. Ley
Registration No. 27,453
ATTORNEY FOR APPLICANT

JOHN R. LEY, LLC
5299 DTC Blvd., Suite 610
Englewood, Colorado 80111-3327
Telephone: (303) 740-9000
Facsimile: (303) 740-9042



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METHOD OF FABRICATING THE __)
SAME)

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234-05
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AMENDMENT AND RESPONSE TO SECOND OFFICE ACTION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the second Office Action mailed October 23, 2001, please amend the application in the manner described below.

In the Claims:

Amend claims 1 and 5 into the clean form appearing in Part 1 of this Amendment and Response.

The pending claims with markings and indications to show changes over the previous form of those same pending claims is set forth in Part 2 of this Amendment and Response.

Certain Remarks concerning the status of this application and the office action of October 23, 2001 are set forth in Part 3 of this Amendment and Response.